

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

DAVID KIRCHER,

Plaintiff,

v.

CITY OF YPSILANTI, CHARLES BOULARD,  
OFFICER DORSEY, JOHN DOE police officer,  
and ED KORYZNO, individually and in  
their official capacity,

Defendants.

CASE NO. 05-73425  
HON. LAWRENCE P. ZATKOFF

**ORDER**

This matter is before the Court upon Plaintiff's Motion for Reconsideration [dkt. #50] of the Court's May 9, 2008, Opinion and Order Granting Defendants' Motion for Summary Judgment. To succeed on his motion, Plaintiff must demonstrate a "palpable defect by which the court and the parties have been misled" and that "correcting the defect will result in a different disposition of the case." E.D. Mich. LR 7.1(g)(3). Furthermore, "the court will not grant motions for ... reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication." *Id.*

Plaintiff for the first time argues that the Washtenaw County Board of Appeals did not have authority to hear his appeal of the order to secure his rental property. However, Plaintiff has not provided any authority to support this assertion. Plaintiff also argues that criminals at large in Ypsilanti cannot constitute a fire hazard. This argument has no merit as Plaintiff relies on a statutory definition that had no bearing on the decision to secure Plaintiff's property or the Court's decision to grant summary judgment. Therefore, the Court finds that Plaintiff has failed to carry his burden

under Local Rule 7.1(g)(3). Accordingly,

IT IS ORDERED that Plaintiff's Motion for Reconsideration is DENIED.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff  
LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

Dated: May 22, 2008

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on May 22, 2008.

s/Marie E. Verlinde  
Case Manager  
(810) 984-3290